

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

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**This document relates to the following case:**

*City of New York v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

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**PLAINTIFF CITY OF NEW YORK'S NOTICE OF MOTION AND MOTION FOR  
ENTRY OF JUDGMENT PURSUANT TO FED. R. CIV. P. RULE 54(b)**

**TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that Plaintiffs the City of New York, the New York City Water Board Authority and the New York City Municipal Water Finance Authority (collectively, "the City") will and does hereby move this Court before the Hon. Shira A. Scheindlin at the United States Courthouse at 500 Pearl Street, Courtroom 15C, New York, New York 10007, pursuant to Federal Rules of Civil Procedure Rule 54(b), to enter an Order expressly directing the entry of judgment on the City's claims in accordance with the jury verdict rendered in this case on October 19, 2009, determining that there is no just reason for delay, and awarding such further relief as the Court may find appropriate.

WHEREFORE, the City respectfully requests that the Court enter an Order granting the relief set forth in this Motion. In support of its Motion, the City relies upon the attached memorandum of law and the pleadings, records and files in this action.

Dated: San Francisco, California  
December 23, 2009

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the following documents were served on Liaison Counsel via Electronic Mail, and on all counsel of record by posting them directly to CM/ECF and LexisNexis File & Serve on the 23<sup>rd</sup> day of December, 2009:

- 1) PLAINTIFF CITY OF NEW YORK'S NOTICE OF MOTION AND MOTION FOR ENTRY OF JUDGMENT PURSUANT TO FED. R. CIV. P. RULE 54(B)**
- 2) PLAINTIFF CITY OF NEW YORK'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR ENTRY OF JUDGMENT PURSUANT TO FED. R. CIV. P. RULE 54(B)**
- 3) [PROPOSED] ORDER**

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GENEVA D. HILL